

DOCKET NUMBER 17

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Attorneys for **ALAN STANLY**

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA**

In Re:) CASE NO. 05-05926-PB7
)
) Francis J. Lopez,
)
) Alleged Debtor.
)
) NOTICE OF LODGMENT OF ORDER
) DENYING (WITHOUT PREJUDICE)
) ALLEGED DEBTOR'S MOTION TO
) DISMISS OR TRANSFER INVOLUNTARY
) PETITION TO THE NORTHERN
) DISTRICT OF FLORIDA
)
) DATE: August 22, 2005
) TIME: 2:30 PM
) DEPT.: Four (4)
) JUDGE: Hon. Peter W. Bowie
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NOTICE IS HEREBY GIVEN that pursuant to Rule 7054-3(b) of the Local Rules of the United States Bankruptcy Court for the Southern District of California ("LBR"), the original of the **"ORDER DENYING (WITHOUT PREJUDICE) ALLEGED DEBTOR'S MOTION TO DISMISS OR TRANSFER INVOLUNTARY PETITION TO THE NORTHERN DISTRICT OF FLORIDA,"** a copy of which is attached hereto marked "Exhibit 1" and incorporated herein by this reference, was lodged with the Bankruptcy Court for signature by the Honorable Peter W. Bowie, on August 24, 2005.

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1 Pursuant to LBR 7054-3(b)(1), you are advised that you have five (5) business days within
2 which to file and serve, pursuant to LBR 7054-3(b)(3), any objections to the form and/or the
3 substance of the pleadings, and/or serve upon the undersigned alternate pleadings if desired.

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5 Dated: August 24, 2005

ROBBINS & KEEHN
A Professional Corporation

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By: //s// L. Scott Keehn
L. Scott Keehn
Attorneys for Respondent, Alan Stanly

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EXHIBIT 1

Name, Address, Telephone No. & I.D. No.

L. Scott Keehn (61691) 619-232-1700

ROBBINS & KEEHN, APC530 B Street, Suite 2400
San Diego, CA 92101Attorneys for **ALAN STANLY****UNITED STATES BANKRUPTCY COURT**

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

Francis J. Lopez

Debtor.

LODGED

BANKRUPTCY NO. 05-05926-PB7

Date of Hearing: August 22, 2005

Time of Hearing: 2:30 p.m.

Name of Judge: Peter W. Bowie

**ORDER DENYING (WITHOUT PREJUDICE) ALLEGED DEBTOR'S MOTION TO DISMISS OR
TRANSFER INVOLUNTARY PETITION TO THE NORTHERN DISTRICT OF FLORIDA**

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 2 with exhibits, if any, for a total of 2 pages, is granted. Notice of Lodgment Docket Entry No. _____

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DATED:

Judge, United States Bankruptcy Court

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

Robbins & Keehn, APC

(Firm name)

By: /s/ L. Scott Keehn

Attorney for Movant Respondent

The Alleged Debtor's motion to dismiss or, in the alternative, transfer venue of the Involuntary Petition to the Northern District of Florida (the "Motions") came on regularly on August 22, 2005, at 2:30 p.m. in department 4 of the above entitled court located at 325 West "F" Street, San Diego, California, the Honorable Peter W. Bowie, Judge, presiding. Appearances were made by the firm of Robbins & Keehn, APC, by L. Scott Keehn on behalf of Alan Stanly, petitioning creditor in opposition to the motion, and Law Office of M. Jonathan Hayes, by M. Jonathan Hayes on behalf of the movant and Alleged Debtor, Francis J. Lopez.

The court having previously considered all of the pleadings, papers, requests for judicial notice, and declarations submitted by the parties in support of their respective positions, the oral arguments, contentions, and requests of the parties were fully heard and considered in open session.

The court's findings of fact and conclusions of law were stated orally by the court, and recorded in open session, following the close of argument, and are incorporated herein by this reference pursuant to Rules 7052 and 9014 of the Federal Rules of Bankruptcy Procedure and Rule 52(a) of the Federal Rules of Civil Procedure. Based upon the foregoing, and good cause therefore appearing,

IT IS HEREBY ORDERED that:

- (1) The Motions are denied without prejudice; and,
- (2) Alleged Debtor Francis J. Lopez is ordered to answer the petition on or before September 7, 2005.